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Attorney for Plaintiff RICHARD ADAME,  
 CONNIE G. BENDER, and CONSTANCE DAVIS

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

RICHARD ADAME, CONNIE G. BENDER,  
 and CONSTANCE DAVIS,

Case No.: CV -9-0129 SI

Plaintiff (s),

**STIPULATED REQUEST TO CHANGE  
 HEARING DATE FOR DEFENDANTS  
 MOTION FOR SUMMARY JUDGMENT  
 AND MODIFY BRIEFING SCHEDULE**

vs.

BANK OF AMERICA, NATIONAL  
 ASSOCIATION (erroneously sued as "Bank of  
 America"),

JUDGE: HON. SUSAN ILLSTON

Defendant (s)

/

**STIPULATION**

1. Defendant Bank of America, N.A. has filed one motion for summary judgment relating to C. George Bender on May 14, 2010.

2. Because of a calendaring error by Plaintiff's counsel, Plaintiff has requested and Defendant has agreed, pending approval by the Court, to change the briefing schedule for Defendant's motion for summary judgment currently set for hearing on June 18, 2010 at 9:00 a.m. as set forth in paragraph 3 below.

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STIPULATED REQUEST TO CHANGE HEARING DATE  
 Adame, et al. v. Bank of America., Case No.C09-00129 SI

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3. Plaintiff's brief in opposition shall be filed and served by hand on June 4, 2010 by noon. Defendant's reply brief shall be filed on or before June 11, 2010. The hearing date for this motion shall continue to be June 18, 2010.

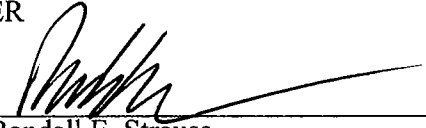
4. Because of the scheduling change in connection the motion relating to Plaintiff Bender, the parties must also change the summary judgment hearing relating to Richard Adame. That hearing is presently set for July 16, 2010. The parties proposed that the date for that hearing be changed to July 30, 2010 (provided this date is available on the court's calendar). The opening papers will be filed on June 25, 2010. Plaintiff's opposition is to be filed on July 9 and Defendant's reply papers will be filed on July 16, 2010.

5. **Defendant agrees to these changes only if all of the proposed dates set forth above are acceptable to the Court.** The parties respectfully request that the Court approve the Stipulation and enter an Order thereupon. A form of the proposed Order is filed herewith.

Dated: June 1, 2010

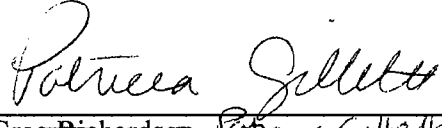
Respectfully submitted,

J. GARY GWILLIAM  
RANDALL E. STRAUSS  
GWILLIAM, IVARY, CHIOSSO, CAVALLI &  
BREWER

By:   
Randall E. Strauss  
Attorneys for Plaintiffs  
Richard Adame, Connie G. Bender and  
Constance Davis

Dated: June 1, 2010

PATRICIA K. GILLETTE  
GREG J. RICHARDSON  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By:   
Greg Richardson Patricia Gillette  
Attorneys for Defendant  
Bank of America, National Association

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STIPULATED REQUEST TO CHANGE HEARING DATE  
Adame, et al. v. Bank of America., Case No.C09-00129 SI

1 Randall Strauss attests that concurrence in the filing of the document has been obtained from the  
 2 other signatory, which shall serve in lieu of their signature on the document.

3  
 4 **ORDER**

5 The Court having considered the above Stipulation, and good cause appearing therefore,  
 6 IT IS HEREBY ORDERED that,

7 1. Defendant's motion for summary judgment hearing for C. George Bender will  
 8 remain on June 18, 2010, at 9:00 a.m. Plaintiff's opposition will be filed and personally served on  
 9 defendant by 12 noon on June 4, 2010. Defendant's reply will be filed on June 11, 2010.

11 2. Defendant's motion for summary judgment hearing for Richard Adame will be  
 12 changed from July 16, 2010 to July 30, 2010. Defendant's will file their papers by June 25, 2010.  
 13 Plaintiff's opposition will be filed on July 9, 2010. Defendant's reply papers will be filed on July  
 14 16, 2010.

15 Hon. Susan Illston

16 

17 UNITED STATES DISTRICT JUDGE

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STIPULATED REQUEST TO CHANGE HEARING DATE  
 Adame, et al. v. Bank of America., Case No.C09-00129 SI